



Montana Fish, Wildlife & Parks

9/11/2002
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1400 So. 19th
Bozeman, MT 59715

September 10, 2002

TO: Governor's Office, Todd O'Hair, Room 204, State Capitol, P.O. 200801, Helena, MT 59620-0801
Environmental Quality Council, Capitol Building, Room 106, P.O. Box 201704, Helena, MT 59620

Dept. Environmental Quality, Metcalf Building, P.O. Box 200901, Helena, MT 59620-0901
Montana Fish, Wildlife & Parks

Director's Office

FWP Commissioners

Legal Unit

Parks Division

Fisheries Division

Wildlife Division

Lands Section

Design & Construction

MT Historical Society, State Historic Preservation Office, POB 201202 Helena, MT 59620-1202

MT State Parks Association, P.O. Box 699, Billings, MT 59103

MT State Library, 1515 E. Sixth Ave., POB 201800, Helena, MT 59620

James Jensen, Montana Environmental Information Center, POB 1184, Helena, MT 59624

Janet Ellis, Montana Audubon Council, POB 595, Helena, MT 59624

George Ochenski, POB 689, Helena, MT 59624

Gallatin County Commissioners, Gallatin County Courthouse, 311 W. Main, Room 301, Bozeman, MT 59715

Senator Emily Stonington, 15042 Kelly Canyon Rd., Bozeman, MT 59715

Jerry DiMarco, P.O. Box 1571, Bozeman, MT 59771

Montana Wildlife Federation, P.O. Box 1175, Helena, MT 59624

Wayne Hurst, P.O. Box 728, Libby, MT 59923

Bob Raney, 112 S 6th St., Livingston, MT 59047

Ladies and Gentlemen,

Attached is the Decision Notice for the Missouri Headwaters State Park Lewis & Clark Bicentennial Enhancement Project. This enhancement project addresses facility and interpretive improvements at the Park entrance, the parking area near the confluence of the Madison and Jefferson River and the interpretive plaza at the park picnic area.

Public comment on the proposal was accepted from July 29, 2002 through August 27, 2002. Eleven comments were received on the proposed project. After review of this proposal and the corresponding comments, it is my decision to proceed with the proposed action with one modification

Questions regarding this decision notice should be directed to me at Montana Fish, Wildlife & Parks, Region Three, 1400 S. 19th Ave., Bozeman, MT 59718, by telephone at (406) 994-4042, or at pflowers@montana.edu.

Sincerely,

Patrick J. Flowers
Regional Supervisor

Enclosure

Gallatin
State Parks



Montana Fish, Wildlife & Parks

Missouri Headwaters State Park Lewis & Clark Bicentennial Enhancement Project ENVIRONMENTAL ASSESSMENT DECISION NOTICE

September 9, 2002

PROPOSAL

The proposed action is to make capital and interpretive improvements to three project areas at Missouri Headwaters State Park. These areas include the Park entrance, the Missouri River confluence parking lot, and the interpretive plaza located near the Park's picnic area.

The proposed Park entrance improvements will consist of both capital and interpretive work. A new interpretive pavilion will be constructed on the northeast side of the parking area. A level space will be denoted for a future contact station in the vicinity of the pavilion. The Park fee station will also be relocated to a point near the contact station. A concrete pathway will lead visitors northward along the east side of the parking area past available disabled accessible picnic tables between the pavilion and a new latrine. The existing parking area will be reconfigured for safe vehicular movement and allow for adequate parking of recreational vehicles (RVs), school buses, and passenger cars and will be a paved surface. Landscaping at the entrance will consist of native trees and shrubs, and sod near and around the interpretive pavilion and picnic tables. To establish and maintain the new vegetation, an underground irrigation system will be installed. The proposal includes a floodlighted flagpole near the pavilion and contact station location. A security light currently located near the Park entrance approach will be relocated to a point near the new latrine for night security purposes.

New interpretive elements at the entrance will replace the existing map displays and be consolidated into the new interpretive pavilion. An attractive Park entry sign is proposed at the entrance area.

The parking area planned for the Madison and Jefferson River confluence will be reconfigured to maximize the capacity of the parking lot and maintain traffic flow within the lot. The parking area will be surfaced with either gravel or re-crushed asphalt millings. The re-crushed asphalt millings would only be used if they were available at a cost comparable to gravel. The re-crushed asphalt millings consist of crushed asphalt millings with added gravel. These are being considered because they are an effective dust control measure, would allow for striping, and are maintainable. Some form of dust control (i.e., magnesium chloride, etc.) would be utilized if gravel were used for the parking area. An existing access road that leads from the south side of

maintainable. Some form of dust control (i.e., magnesium chloride, etc.) would be utilized if gravel were used for the parking area. An existing access road that leads from the south side of the parking lot to the riverbank will be closed, reclaimed, and incorporated with the Park's trail system.

New interpretive displays would replace the existing interpretive signs at the Confluence area. These displays will be designed with a low profile and blend with the surrounding landscape. They will be placed at the trailhead leading to and on the bank near the Madison and Jefferson River confluence.

The third and final project area is located at the interpretive plaza near the picnic area. The existing interpretive displays and pedestals found around the perimeter of the open-air shelters will be removed. New interpretive panels will be centralized under the center ridge of the pavilions.

MONTANA ENVIRONMENTAL POLICY ACT PROCESS

FWP is required by the Montana Environment Policy Act (MEPA) to assess agency-sponsored projects and their potential impacts to the human and natural environment. The Missouri Headwaters State Park Lewis & Clark Bicentennial Enhancement proposal and its impacts were documented by FWP in an EA released on July 29, 2002, to comply with MEPA.

Public comments were solicited for 30 days from July 29 through August 27, 2002. Legal notices regarding the proposed action were printed in area newspapers and listed on FWP's website. Approximately 45 copies of the EA were mailed out to FWP's standard distribution list and interested parties.

SUMMARY OF PUBLIC COMMENT

FWP received nine written and two oral comments during the comment period. Ten of the eleven comments supported the proposal and one was critical of many of the elements of the project. The critical letter further suggested, "that the proposal goes far beyond the intent of the Primitive Parks Act and the 2001 amendments, is lacking in relevant information, should be withdrawn, rewritten to meet the law and to provide needed information, and then reissued." A summary of the comments follows.

The eight written and two oral comments received supporting the project were from the Three Forks Chamber of Commerce, Lewis & Clark Trail Heritage Foundation Inc./Headwaters Chapter, City of Three Forks, Three Forks Historical Society, and six unaffiliated individuals. Comments identified Missouri Headwaters State Park as one of the most significant sites along the Lewis and Clark Heritage Trail. Consistent with all ten comments was the recognition that Missouri Headwaters State Park would see a dramatic increase in visitation during the Lewis and Clark Bicentennial and post bicentennial years. There were common themes found in the ten supporting comments. First of these was the condition of the current and inferior interpretive displays. There was consensus that many visitors to Three Forks and the area find it difficult at times to get a clear picture of the area and Park history. The importance of the Park to the local

community was another common theme. The connection and working relationship between the Park and the community of Three Forks is stated as being an essential element of providing customer services in the area. Previous collaborative Park improvement efforts between FWP and the Three Forks community were noted such as during the national bicentennial in 1976. An opinion was expressed that the proposed improvement would not detract from the historic value or destroy the natural and primitive areas of the Park. Opinions were expressed that this project was long in coming and needed to be completed soon, before the Lewis and Clark Bicentennial. Public safety was another concern expressed for justification of the proposed Park improvements. Additional specific comments included:

- Endorsement of proposal to place small unobtrusive sign at the confluence.
- Two suggestions to combine the functions of the contact station and the pavilion.
- Endorsement of fee station location.
- Suggestion to erect tepee poles in the entrance area.
- Expressed opinion that native grasses and bushes would be less expensive to maintain in the future than trees.

The Montana State Parks Foundation submitted comments that were generally critical of the project proposal. General comments about the proposal included the following:

- The lack of detailed cost information prevents commenters from knowing if the proposal will fall within the amount of money allocated for the project and to determine if all parts of the project are cost worthy.
- The project design was 60% completed when the EA was released for public comment. How can one comment on design elements that are not included in the EA?
- The EA does not comment on any new staffing that may be required to greet and orient visitors at the entrance area.
- The EA States there is no conflict with any law. Contention that proposals violate the Primitive Parks Act.
- The added cost of maintaining the new proposed improvements is not disclosed in the EA.

Specific comments related to the Park entrance area were as follows:

- The size and design of interpretive kiosk is a failure. Faulted EA for lack of information about nature and mobility of contact station.

- Underground sprinkler system proposed to water proposed vegetation plantings is illegal. FWP should utilize native plants.
- Electrification required to operate proposed floodlight at the flagpole is prohibited by the Primitive Parks Act, cost to operate the light is not disclosed in the EA, and there is no discussion of the impact on aesthetics of the floodlight.
- Fee collection station, information kiosk, and contact station should be consolidated into one spot.

Specific comments related to the confluence parking area were as follows:

- The proposed interpretive signs in this area keep within the intent and spirit of the Primitive Parks Act. EA does not disclose the materials to be used in construction of the parking area and loop road.

FWP RESPONSE TO PUBLIC COMMENTS

GENERAL PROJECT SUPPORT: FWP acknowledges the general comments of support for the proposed project.

LACK OF DETAILED COST INFORMATION: Funding for this proposal was specified on page 4 of the EA. FWP was appropriated \$275,000 for Lewis and Clark Bicentennial state park improvements by the Montana Legislature. This funding was dedicated for the proposed project at Missouri Headwaters State Park. In addition, the Park received an \$80,000 grant from the National Park Services Lewis & Clark Bicentennial Grant program to supplement the proposed project. Fish, Wildlife & Parks Design and Construction Bureau prepares detailed cost estimates for all projects, which guide in the selection of the overall scope of a project and the specific elements. Ultimately, private contractors will bid on this project. The true cost of the project will not be known until contractor bids are opened and a specific contractor is selected. State law requires that the low bidder be awarded the project if all other requirements are met. If bids come in over the estimated costs of the project, the project will either be scaled back or withdrawn.

RELEASE OF EA BEFORE PROJECT DESIGN IS COMPLETE: The preparation and distribution of an EA for public comment is part of a decision making process. In order to adequately delineate an understandable project to the public, it is necessary to complete some level of design work. The level varies from project to project depending on the complexity. The decision to proceed with a project (or not) or to modify a project is not made until the public has an opportunity to comment. Design work is typically completed after a formal Decision Notice is issued specifying if the project is to proceed and with what modifications from the original proposal. It is admittedly a balancing act between describing enough rudiments of a project so that the public can realistically comment on a proposal and not making the proposal appear to be an already "done deal."

THE NEED FOR ADDITIONAL STAFFING: The implementation of the proposed improvements at Missouri Headwaters State Park entailed in this proposal will not, in itself, require any additional staff. That is not to say that existing park maintenance, management, and interpretive conditions and expected visitation increases brought on by the Lewis & Clark Expedition Bicentennial commemoration do not justify additional staffing to better provide for visitor health and safety, to protect natural resources, and to serve resident and non-resident visitors to Missouri Headwaters State Park. Any additional tasks or workload created by this proposed improvement project would be absorbed by existing staff and perhaps by additional volunteers.

CONFLICT WITH EXISTING LAW: The contention has been made that the proposed improvements at Missouri Headwaters State Park are clearly outside the letter and intent of the Primitive Parks law. FWP feels all proposals are clearly authorized by the 2001 amendments to the original Primitive Parks Act. FWP has further communicated with the amendment (S.B. 286) sponsor and have received approval for all planned improvements as being within the letter and spirit of the amended act.

LONG TERM MAINTENANCE COSTS: FWP was cited as being unreasonable for stating that maintenance costs of the new improvements would be no more than current costs. The statement in the EA was perhaps misleading to some degree. While we recognize that additional facilities will require additional maintenance attention, we also realize that in the short term, new facilities are usually less expensive to maintain than old, worn facilities. Many of the proposed improvements are replacing existing facilities (i.e., latrine, parking areas, interpretive signing, etc.) that we are already maintaining with a static budget. Many of these new improvements are technologically superior to the old facilities and require less and easier maintenance (i.e., concrete latrines vs. wood latrines) to achieve more healthful results. Activities such as mowing, painting, vegetation management, fee collection are already part of the maintenance and operation routine and will require little additional resources. Again, this is not to say that current resources are adequate to perform the many and varied maintenance and operation functions necessary to assure public safety, protect resources, and provide the public with services that are requested. Finally FWP recognizes that State Park System funding is deficient and we cannot realistically expect short-term relief. In the long range, it is expected that maintenance costs will increase by a small magnitude related to the proposed additional facilities (i.e., pavilion) and inflationary demands.

INFORMATION KIOSK: The terms, information kiosk and interpretive pavilion, have been used to describe the same structure. This structure has been praised by some and called a failure by others. The design philosophy of the entrance area, embodied by the interpretive pavilion, is to present an attractive area that will entice Park visitors to stop, learn about what the Park has to offer, receive an orientation to both the general area and the Park, pay required fees, and be prepared to explore the rest of Missouri Headwaters State Park. The design and size of the pavilion is critical as a device to catch motorists' eyes and get them to pull off Highway 286. Currently, the lack of recognizable state park type facilities and the unattractive appearance (dry, sparse, lack of prominent vegetation) at the entrance serves to create confusion and/or

obliviousness. Many of those that stop wonder what the significance of the Park is, turn around and head back to Interstate 90 totally oblivious that they missed most of the Park. Many others breeze right on by, and end up in Trident wondering where this elusive Missouri Headwaters is anyway!

Other comments advocate combining the interpretive pavilion, contact station, and fee collection station within the one interpretive structure. The interpretive pavilion is intended to invoke the aura of arrival much like that experienced by our ancestors who arrived as hunters, gatherers, explorers, trappers, pioneers and travelers. It is felt that the interpretive pavilion must stand-alone and not be cluttered by administrative devices and informational signs and bulletins.

CONTACT STATION: The location of a future unstaffed contact station was shown on plans in the EA. Construction of a structure is not proposed as a part of this project. This structure will be a temporary, mobile structure and could be a frame building on skids, a travel trailer, a log cabin on a pad, or a circular bulletin board. The use of this structure will be to disseminate information and serve as a meeting point for scheduled tours primarily during summer months for the term of the Bicentennial.

VEGETATION PLANTINGS AND IRRIGATION SYSTEM: Tree, shrub, and turf grass plantings were proposed for the entrance area to make the area attractive and for shade purposes. All tree and shrub plantings will be native species. A moderate area of lawn is proposed to be planted with turf grass seed to the east of the parking lot and will accommodate three disabled accessible tables. Comments questioned the need for an irrigation system if native species are planted, the legality of the irrigation system under the Primitive Parks Act, and the preference of native shrubs and grasses over trees. Any plantings of ornamental or native species must be watered consistently for a few years in order for the stock to survive and grow, especially in the arid conditions at Missouri Headwaters State Park. The easiest and most efficient manner to provide new plantings with water is an irrigation system with drip heads at the trees and shrubs and sprinklers on the turf area. Again, the rationale for the planting of a variety of vegetation is to make the entrance area attractive and entice park visitors to pull in off the highway. Trees are proposed because of their high profile, aesthetic appeal, and shade qualities. As to the legality of the irrigation system, amendments to the Primitive Parks Act allow "the orientation area at Missouri Headwaters State Park to be rebuilt and expanded." The proposed irrigation system has been reviewed and sanctioned as appropriate by the S.B. 286 sponsor. In addition, vestiges of an old irrigation system currently exist in this area, and maintenance of existing systems is permitted under the Primitive Parks Act.

FLAGPOLE FLOODLIGHT: This feature was proposed so the U.S. flag could be flown at the park 24 hours per day in observance of the importance this site to our national heritage. A comment questioned the legality of the lighting under the Primitive Parks Act and expressed concern that night lighting in the Park would negatively affect the aesthetics. FWP will withdraw the floodlight from the proposal and will raise and lower the flag on a daily basis when staff is present at the Park and able to undertake this task. An existing security light in the entrance area will be moved to the location of the proposed new latrine.

CONFLUENCE PARKING LOT: The proposal calls for the confluence parking lot to be redesigned according to sketches included in the EA. The materials to be used on the parking lot were inadvertently left out of the EA. Two surfacing alternatives are being considered, gravel and re-crushed asphalt millings. The re-crushed asphalt millings are advantageous because they are maintainable like gravel, provide dust abatement qualities, and their dark coloring lends to striping for parking control and traffic flow. The potential drawbacks are availability and cost. If the millings are not available at a comparable cost to gravel, they will not be considered. The choice of which surfacing material to use will not be made until bids are opened and a contractor selected.

SUMMARY OF REVIEW

A tradition of public recreation and cultural awareness has developed in the Three Forks and Gallatin Valley area over many years. The proposed action will serve to provide up-to-date and quality Park facilities and promote resource protection and ethical public land use. The overall project proposal poses no fundamental change to the present Park characteristics. The proposed enhancements promote public awareness and opportunity to learn and enjoy the historical, cultural, and recreational values represented at the Park. No significant issues were identified or generated during the EA review and public comment period to trigger further review.

DECISION NOTICE

Based on the information in the Draft Environmental Assessment and public comment, it is my decision to proceed with the proposed action (Alternative B) with the following modification: the floodlight associated with the flagpole at the entrance area will be withdrawn from the project.

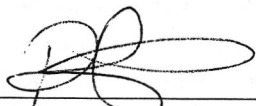
Based on the analysis in the EA and the applicable laws, regulations, and policies, I have determined that this action will not have a significant effect on the natural or human environment. Therefore, an Environmental Impact Statement will not be prepared.

The Draft EA and this Decision Notice with the above listed modification to the Draft EA will serve as the final document.

This construction project is subject to appeal, which must be submitted to the FWP Director in writing and postmarked within 30 days of the date on this decision notice. The appeal must specifically describe the basis for the appeal, explain how the appellant has previously commented to the Department or participated in the decision-making process, and lay out how FWP may address the concerns in the appeal. Appeals must be addressed to the following:

Mr. Jeff Hagener
Director, Fish, Wildlife & Parks
P.O. Box 200701
Helena, MT 59620-0701.

If you have any questions regarding this decision notice, please contact Pat Flowers, Region Three Supervisor at (406) 994-4042, 1400 S. 19th Ave., Bozeman, MT 59718 or at pflowers@montana.edu.



Patrick J. Flowers
Regional Supervisor
Bozeman, MT
August 10, 2002